

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

LOUISE BOBO,

Plaintiff,

v.

ALEXANDRA LEVIN,

Defendant.

Case No.: 4:21-cv-00701

ANSWER OF DEFENDANT

COMES NOW Defendant Alexandra Levin, by and through Counsel, and for her Answer to Plaintiff's Petition, states as follows:

1. Plaintiff Louise Bobo resides in St. Louis City, Missouri.

ANSWER: Upon information and belief, Defendant admits Paragraph 1 of Plaintiff's Petition.

2. Upon information and belief, Defendant Alexandra Levin resides in Montgomery County, Maryland.

ANSWER: Defendant admits Paragraph 2 of Plaintiff's Petition.

3. Pursuant to Mo. Rev. Stat. § 508.010, jurisdiction and venue are proper because the incident that injured Plaintiff occurred in the St. Louis City, Missouri.

ANSWER: Defendant admits that the motor vehicle accident at issue occurred in St. Louis City, Missouri, and further admits jurisdiction and venue are proper in the United States District Court for the Eastern District of Missouri. Defendant denies each and every other allegation of fact and conclusion of law in Paragraph 3 of Plaintiff's Petition.

4. On November 14, 2018, Plaintiff was riding on a bus when Defendant Alexandra

Levin failed to yield to the bus traveling eastbound on Laclede Avenue, thereby colliding with the bus.

ANSWER: Defendant denies Paragraph 4 of Plaintiff's Petition.

5. Plaintiff was injured because of Defendant's negligence in one or more of the following respects:

a. Defendant failed to yield to the vehicle Plaintiff was in; and Such further acts or omissions which may be revealed during discovery.

ANSWER: Defendant denies Paragraph 5 of Plaintiff's Petition.

8. [sic] As a result of the negligence of Defendant described herein, Plaintiff was injured, requiring medical treatment.

ANSWER: Defendant denies Paragraph 8 of Plaintiff's Petition.

9. [sic] As a direct and proximate result of the negligence of Defendant described herein, Plaintiff has suffered pain in the past, and will do so in the future, and has required medical treatment in the past, and will likewise require medical treatment in the future.

ANSWER: Defendant denies Paragraph 9 of Plaintiff's Petition.

DEFENSES

1. Defendant denies each and every other allegation, averment and statement made and contained in Plaintiff's Petition not previously and specifically admitted herein.

2. In addition, Defendant states that pursuant to R.S.Mo. § 490.715.5, any evidence of medical bills asserted by Plaintiff shall be for the actual cost of the medical care or treatment, defined as a sum of money not to exceed the dollar amounts paid by or on behalf of Plaintiff, plus any remaining dollar amount necessary to satisfy the financial obligation of Plaintiff for medical care or treatment.

3. The negligence, fault or carelessness of other persons or entities for whose conduct Defendant is neither responsible nor liable was the sole, intervening, or superseding cause of Plaintiff's alleged damages and, therefore, any recovery by Plaintiff against Defendant is barred.

4. Should plaintiff receive any settlement, recovery or payment for any party or non-party, this answering defendant is entitled to a credit for any such payments by any such person pursuant to § 537.060 R.S.Mo.

WHEREFORE, having fully answered Plaintiff's Petition, Defendant Alexandra Levin prays to be discharged with her costs herein incurred and expended, and for such other order and further relief the Court deems just and proper

McCAUSLAND BARRETT & BARTALOS P.C.

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ALEXANDRA LEVIN

I hereby certify that a copy of the above
and foregoing was electronically delivered
by the Court on this 16th day of June, 2021 to:

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